

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: JOSE T. RENDON and	}	CHAPTER 13
LUZ M. RENDON,	}	
	}	CASE NO. R12-41333-MGD
DEBTOR(S)	}	
	}	JUDGE DIEHL

CHAPTER 13 TRUSTEE'S MOTION FOR DETERMINATION OF CLAIM STATUS

COMES NOW, Mary Ida Townson, Standing Chapter 13 Trustee in the above-styled matter, and files this Motion for Determination of Claim Status, respectfully showing the Court as follows:

1.

The Debtors filed for relief under Chapter 13 of Title 11 on May 1, 2012. The plan was confirmed by the Court on August 30, 2012. The plan provides for a zero percent (0%) dividend to unsecured creditors.

2.

On August 15, 2012, Capital One, N.A. (BEST BUY CO., INC.) filed a secured claim in the amount of \$765.34 (Claim No. 14-1 on the Court's Claims Register).

3.

On April 25, 2014, this claim was transferred to eCAST Settlement Corporation (Docket No. 45).

4.

The Chapter 13 plan fails to provide for the treatment of this claim.

Mary Ida Townson, Chapter 13 Trustee
Suite 2200 – 191 Peachtree Street, N.E.
Atlanta, Georgia 30303
(404) 525-1110
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5.

Because the plan fails to provide for the treatment of this claim, the Trustee is unable to properly administer this plan.

WHEREFORE, based on the foregoing, the Chapter 13 Trustee respectfully moves the Court for an order determining the status of the claim of eCAST Settlement Corporation and for such other and further relief as the Court may deem just and proper.

Respectfully submitted this 25th day of July, 2014.

/s/
K. Edward Safir
Attorney for the Chapter 13 Trustee
GA Bar No. 622149

Mary Ida Townson, Chapter 13 Trustee
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NOTICE OF HEARING

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a Motion for Determination of Claim Status.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **September 3, 2014 at 10:00 a.m. in Courtroom 342, United States Courthouse, 600 East First Street, Rome, GA 30161.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including address) you served the response. Mail or deliver your response so that it is received by the Clerk at least two (2) business days before the hearing. The address of the Clerk's Office is **Clerk, U.S. Bankruptcy Court, Room 339, 600 East First Street, Rome, Georgia 30161.** You must also mail a copy of your request to the undersigned at the address stated below.

/s/
K. Edward Safir
Attorney for the Chapter 13 Trustee
GA Bar No. 622149

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CERTIFICATE OF SERVICE

This is to certify that I have this day served

DEBTOR(S):

Jose T. Rendon
14 Farm Street
Hiram, GA 30141

Luz M. Rendon
14 Farm Street
Hiram, GA 30141

ATTORNEY FOR DEBTOR(S):

Camp Law Offices, P.C.
7274 W. Bankhead Hwy.
Douglasville, GA 30134

CREDITOR(S):

Jennifer A. Pursley, Authorized Representative
eCAST Settlement Corporation
c/o Bass & Associates, P.C.
3936 E Ft. Lowell Rd., Suite 200
Tucson, AZ 85712

in the foregoing matter with a copy of this pleading by depositing same in the United States Mail in a properly addressed envelope with adequate postage thereon.

This 25th day of July, 2014.

_____/s/_____
K. Edward Safir
Attorney for the Chapter 13 Trustee
GA Bar No. 622149

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